

2002-40:

FAILED

October 1, 2002

**AN ORDINANCE TO APPROVE AN AMENDMENT TO THE MURPHY PARK DEVELOPMENT PLAN TO ALLOW THE USE OF CEMENT FIBER SIDING ON PROPOSED SINGLE FAMILY HOMES.**

**Whereas,** Rockford Homes applied for an Amendment to the Approved Development Plan for Murphy Park to allow the use of cement fiber siding as an approved exterior material, and

**Whereas,** the Planning and Zoning Commission reviewed this request on July 10, 2002 and with a 4 to 3 vote DENIED the request, and

**Whereas,** this request is a circumstance that is below the minimum requirements as established by the Zoning Code and requires Council approval as a "substantial change" to the approved development plan.

**NOW THEREFORE BE IT ORDAINED BY THE MUNICIPALITY OF POWELL, DELAWARE COUNTY, OHIO AS FOLLOWS:**

**Section 1:** That the Development Plan for Murphy Park is hereby amended to allow the use of cement fiber siding as an approved exterior material for use on the single family homes within that development conditioned upon the following requirements:

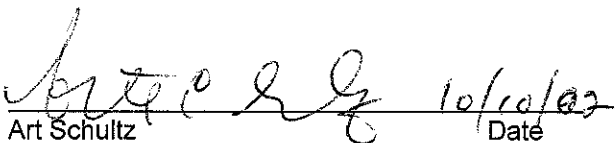
**Installation of all exterior wall material shall be done utilizing the best available construction methods. Manufacturer specifications for storage and installation of materials shall be followed as well as the recommendations in recognized building industry evaluation service reports. The use of double wall construction is required for use of cement fiber lap siding material**


**Section 2:** That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of the Council and any of the decision making bodies of the Municipality of Powell which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the Municipality of Powell, Delaware County, Ohio.

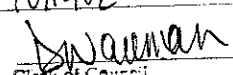
**Section 3:** That this Ordinance shall take effect at the earliest period allowed by law.

**VOTE ON RULE SUSPENSION:** Y \_\_\_\_\_ N \_\_\_\_\_

**VOTE ON ORDINANCE 2002- 40:** Y 2 N 4 (Cline, Seta, Wiencek, Klein)  
(Abstain: Dave Lackey)

  
Art Schultz \_\_\_\_\_ 10/10/02  
Mayor Date

  
Dawn Nauman \_\_\_\_\_ 10/9/02  
Clerk of Council Date

For a true and correct copy of this Ordinance, I have compared the same with the original and find it correct.  
Attest: \_\_\_\_\_ dated 4-3-94  
on this date 10/10/02  
  
Clerk of Council

